

Oct 24, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LISA P.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:18-CV-3043-JTR

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 16. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Jeffrey E. Staples represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 5. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 16**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) will hold a *de novo* hearing and issue a new decision with regard to Plaintiff's applications for benefits under the Social Security Act.

1 The parties stipulate that although the ALJ correctly determined Plaintiff
2 could not work in coordination with coworkers and could have only occasional
3 contact with supervisors, the jobs on which the ALJ relied at step five of the
4 sequential evaluation process could not be performed by someone with those
5 limitations. ECF No. 16 at 2. Therefore, the parties agree that, on remand, the
6 ALJ shall reevaluate whether Plaintiff could perform any jobs existing in
7 significant numbers in the national economy given her particular constellation of
8 limitations.

9 2. **Judgment shall be entered for PLAINTIFF.**

10 3. Plaintiff's Motion for Summary Judgment, **ECF No. 12**, is
11 **STRICKEN AS MOOT.**

12 4. Defendant's Motion for an Extension of Time, **ECF No. 14**, is
13 **DENIED AS MOOT.**

14 5. An application for attorney fees may be filed by separate motion.

15 The District Court Executive is directed to enter this Order, forward copies
16 to counsel, and **CLOSE THE FILE.**

17 DATED October 24, 2018.



A handwritten signature in black ink, appearing to read "M", is written over a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE